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PATENT

wherein said PEG-3 promoter has PEG-3 promoter activity and is about 464 nucleotides long, the entire length of which is at least about 95% identical to the sequence of nucleotides 1507 to 1970 of SEQ ID NO:1.

B4
case

[Please **add** new claim 40 as follows:]

40. (NEW) The isolated nucleic acid of claim 39, wherein the entire length of the PEG-3 promoter is at least about 99% identical to the sequence of nucleotides 1507 to 1970 of SEQ ID NO:1.

IN THE SPECIFICATION

Please **insert** the following paragraph at page 1, line 6, before the first paragraph of the application:

B3 This application is a continuation-in-part application of ^{now US Patent No. 6,472,520} U.S. Patent Application No. 09/052,753, filed March 31, 1998, which is a continuation-in-part application of International Application No. PCT/US98/05793, filed March 20, 1998.
